

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:21-CR-100
	:	
v.	:	(Judge Conner)
	:	
JOAN CICCHIELLO,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 15th day of February, 2022, the court having accepted the defendant's plea of guilty in the above-captioned criminal action, and having orally from the bench directed the preparation of a presentence report and set the date for a presentence conference and the defendant's sentencing, and in accordance with Local Rule of Court 32.1 which is incorporated herein in full, it is hereby ORDERED that the following schedule shall govern presentence and sentencing proceedings in this action:

1. Disclosure of Initial Presentence Report. The probation officer shall, **within 56 days** of the date of the guilty plea, disclose the presentence report to the defendant, the defendant's counsel, and counsel for the government.
2. Objections to Initial Presentence Report. The parties shall, **within 14 days** after disclosure of the initial presentence report, communicate in writing to the probation officer, and to each other, any objections to the presentence report.
3. Disclosure of Final Presentence Report. The probation officer shall, **at least 28 days** before the presentence conference, submit the final presentence report to the court, together with an addendum setting forth any unresolved objections, the grounds for those objections, and the probation officer's comments on the objections.
4. Presentence Conference. The court shall conduct a presentence telephonic conference call with all counsel and the United States

Probation Office at **11:00 a.m. on Friday, July 8, 2022**. Counsel for the government shall initiate the call to chambers at 717-221-3945. At the time the call is placed, all counsel shall be on the line and prepared to proceed. In the event there are no objections to the final presentence report, the court may, at its discretion, cancel the presentence telephonic conference.

- a. Prior to the presentence telephonic conference:
 - i. Counsel shall confer for the purpose of reaching an amicable resolution of any pending objections to the presentence report and shall discuss possible stipulations or agreements as to any disputed facts.
 - ii. Following counsel's conference, the defendant's counsel shall confer with the defendant regarding any unresolved objections and any possible stipulations or agreements.
 - iii. No such conference shall be required in the absence of pending objections, issues, or disputed facts (*e.g.*, amount of loss).
- b. During the presentence telephonic conference, the parties shall inform the court of:
 - i. Any resolutions to pending objections.
 - ii. Any unresolved pending objections.
 - iii. Any stipulations or agreements as to disputed facts.
 - iv. Any witnesses to be called and/or evidence to be presented during sentencing.
 - v. Any forthcoming motions for departure by the government.
 - vi. Any other matters pertaining to sentencing.

5. Sentencing Memoranda, Motions for Departure, and Character Letters.

- a. The defendant shall file a sentencing memorandum, **at least 14 days** before the presentence conference, addressing any pending objections to the presentence report and any specific requests for downward departure under the sentencing guidelines, citing to applicable and controlling law.

- b. The government shall file a responsive sentencing memorandum, **at least 7 days** before the presentence conference, addressing any pending objections to the presentence report and any specific requests for departure under the sentencing guidelines, citing to applicable and controlling law.
 - c. No sentencing memoranda shall be required in the event there are no outstanding objections or departure requests and the parties only wish to advocate appropriate considerations under 18 U.S.C. § 3553(a).
 - d. The government shall exercise best efforts to file any motion for departure based on substantial assistance pursuant to U.S.S.G. § 5K1.1 **at least 3 days** before the presentence conference.
 - e. Defense counsel shall exercise best efforts to submit character letters **at least 3 days** before the presentence conference. Character letters shall be sent to the probation officer for submission to the court and shall not be submitted directly to the court.
6. Sentencing in the above-captioned action shall commence at **10:30 a.m. on Friday, July 22, 2022**, in Courtroom #2, Ninth Floor, United States Courthouse and Federal Building, 228 Walnut Street, Harrisburg, Pennsylvania.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania